

# **ATTACHMENT 1**

## Fox News report

3 messages

Cooperating FFL

Thu, Jun 17, 2010 at 11:56 AM

To: "Voth, David J." <[REDACTED]@usdoj.gov>

David,

I hope this email finds you well.

As per our discussion about over communicating I wanted to share some concerns that came up. Tuesday night I watched a segment of a Fox News report about firearms and the border. The segment, if the information was correct, is disturbing to me. When you, Emory and I met on May 13th I shared my concerns with you guys that I wanted to make sure that none of the firearms that were sold per our conversation with you and various ATF agents could or would ever end up south of the border or in the hands of the bad guys. I guess I am looking for a bit of reassurance that the guns are not getting south or in the wrong hands. I know it is an ongoing investigation so there is limited information you can share with me. But as I said in our meeting, I want to help ATF with its investigation but not at the risk of agents safety because I have some very close friends that are US Border Patrol agents in southern AZ as well as my concern for all the agents safety that protect our country. If possible please email me back and share with me any reassurances that you can.

As always thank you for your time and I send this email with all respect and a hart felt concern to do the right thing.

Respectfully,

Cooperating FFL

Voth, David J. <[REDACTED]@usdoj.gov>

To: Cooperating FFL

Fri, Jun 18, 2010 at 2:25 PM

[REDACTED]

Cooperating FFL

Thanks for reaching out to me with your concerns. I would be happy to stop by and speak with you. If possible I have [REDACTED] next Tuesday, June 22, 2010. Any chance you are available that day around 10:00-10:30 am?

Thanks,

Dave Voth

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From: [REDACTED] Cooperating FFL  
Sent: Thursday, June 17, 2010 11:56 AM  
To: Voth, David J.  
Subject: Fox News report

[REDACTED]

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Cooperating FFL  
Reply-To: Cooperating FFL  
To: "Voth, David J." <[REDACTED]@usdoj.gov>

Mon, Jun 21, 2010 at 9:34 PM

David,

I am back intown. If you are still free to meet on the 22nd [REDACTED] around 10 and there for a few hours. Please stop by if you are available, if not let me know when we can reschedule.

Thank you,

Cooperating FFL

Sent from my Verizon Wireless BlackBerry

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From: "Voth, David J." <[REDACTED]@usdoj.gov>  
Date: Fri, 18 Jun 2010 17:25:25 -0400  
To: Cooperating FFL  
Subject: RE: Fox News report

[REDACTED]

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# **ATTACHMENT 2**

**Phoenix Field Division  
Phoenix Group VII (SWB Group)  
Briefing Paper on: 785115-10- [REDACTED]**

**Background**

1. This investigation has currently identified more than 20 individual connected straw purchasers. More suspects are being identified as the scope of the investigation expands. The straw-purchase suspects currently identified are associated with one another through [REDACTED]

[REDACTED] To date (September 2009 – present) this group has purchased in excess of 650 firearms (mainly AK-47 variants) for which they have paid cash totaling more than \$350,000.00.

2. To date there have been five (5) notable seizure events connected with this group, and approximately 53 firearms originally purchased by this group have been recovered. Three of these seizures have been in the Country of Mexico, one recovery in Douglas, AZ, and one recovery in Nogales, AZ. The U.S. recoveries were both believed to be destined for Mexico.
3. The seizures referenced above were not from any member of the targeted group of straw purchasers identified in this investigation. Rather, they were from Hispanic individuals (both male and female) whose association with our target group is currently unknown. This is consistent with what ATF agents have observed thus far during surveillance: straw-purchase suspects delivering recently purchased firearms to Hispanic males. Two such transactions were observed to take place at [REDACTED].
4. At one of the Mexico seizures there were 45 firearms recovered in addition to 500 kilograms of cocaine, 85 pounds of methamphetamine, and over \$2,000,000.00 in U.S. currency. Of the 45 firearms recovered, 14 of those firearms (all AK-47 variants) were originally purchased by this target group. Our investigation has not produced any indication of drug trafficking or financial resources consistent with the seizures listed above.

5. In coordinating with DEA in Phoenix, AZ, [REDACTED]

6. [REDACTED]

7. There have been [REDACTED] since January 4, 2010, between the most prolific suspected straw-purchaser and the Federally Licensed Firearms Dealer [REDACTED]. The anticipated purchase is approximately forty (40) rifles.
8. On January 5, 2010, [REDACTED] GS Voth, and case agent [REDACTED] met with AUSA Emory Hurley, who is the lead, federal prosecutor on this matter. Investigative and prosecution strategies were discussed and a determination was made that there was minimal evidence at this time to support any type of prosecution; therefore, additional firearms purchases should be monitored and additional evidence continued to be gathered. This investigation was briefed to United States Attorney Dennis Burke, who concurs with the assessment of his line prosecutors and fully supports the continuation of this investigation.
9. [REDACTED]
10. A joint strategy/de-confliction meeting is planned for Friday, January 15, 2010, with representatives from ICE, DEA, and ATF. This investigation, as well as other ongoing investigations, will be briefed to all present.

#### Investigative Techniques Used to Date

11. To date in this investigation we have utilized numerous proactive, advanced investigative techniques:
- [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - OCDETF submission to regional committee for approval.
  - Financial investigation.
  - State of Arizona law enforcement queries.
  - [REDACTED]

- Coordination and de-confliction with other Federal agencies (USAO, DEA, IRS, ICE.)
- Coordination with EPIC and ATF HQ Intel.
- Entering of all known firearms into ATF Suspect Gun Database.
- Coordination with ATF Tracing Center.
- Obtaining ATF Form 4473 and sales receipts from all known firearm purchases.
- Establishing and maintain working relationships with FFLs involved in this investigation to include requesting that they "slow down" their on hand inventory of AK-47 type firearms. (Our relationship is good with the FFLs involved thus far, if we cut off our group they may find other FFLs not as friendly and our intelligence will become exponentially more difficult and slow.)

### Strategy

12. This investigation is currently being conducted in conjunction with the Phoenix DEA OCDETF strike force. ATF Phoenix VII is the lead investigating enforcement group. A formal OCDETF proposal is completed and will be presented on January 26, 2009, in furtherance of this investigation. It is unknown at this time what connection exists between these straw-purchasers and the drug trafficking organizations (DTOs) of Mexico.
13. Currently our strategy is to allow the transfer of firearms to continue to take place in order to further the investigation and allow for the identification of additional coconspirators who would continue to operate and illegally traffic firearms to Mexican DTOs which are perpetrating armed violence along the Southwest Border. This all in compliance with ATF 3310.4(b) 148(a)(2).
14. The ultimate goal is to secure [REDACTED] to identify and prosecute all co-conspirators of the DTO to include the [REDACTED] identified straw purchasers, the facilitators of the distribution cell centered here in Phoenix, the transportation cells taking firearms South, and ultimately to develop and provide prosecutable information to our Mexican law enforcement counterparts for actions.

# **ATTACHMENT 3**



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**THE WALL STREET JOURNAL**

WSJ.com

LIFE & CULTURE | MAY 21, 2011

# The Myth of Big-Time Gun Trafficking

*Crime weapons usually come from petty theft and opportunistic dealers, not from an organized black market*

By GARY KLECK

In recent decades, advocates of gun control have taken their cause to court, bringing lawsuits that charge the gun industry with negligence because of how it distributes firearms. Large-scale traffickers, these suits claim, purchase guns in big batches from corrupt or irresponsible dealers, especially those operating in states with weak gun control laws. These guns are then moved to places with stricter laws, where they are sold, supposedly at high markups, to criminal buyers.

Advocates argue that gun manufacturers and distributors are aware of these illegal practices and could stop them, if they chose to, by refusing to supply guns to the problematic dealers.



Reuters

Testing out rifle scopes at a Las Vegas convention.

This theory has been embraced by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, the Brady Campaign to Prevent Gun Violence and even some scholars. They argue that disrupting trafficking operations can have a substantial impact on rates of criminal gun possession and gun violence.

Unfortunately, there is little evidence to support this set of interconnected claims.

The best available study, by researchers at the University of Massachusetts, Amherst, indicates that criminals obtain guns from a wide variety of largely interchangeable low-volume sources. Criminals usually get their guns in one of three ways: as a byproduct of thefts, primarily residential burglaries; by buying guns one at a time from friends and relatives who neither regularly

sell guns nor act as "straw purchasers" (legally qualified buyers who purchase guns for those prohibited from doing so); or, if they have no criminal convictions, by lawfully buying guns from licensed dealers.

As my colleague Kevin Wang and I found by examining federal crime data, the overall volume of gun theft alone is huge—at least 400,000 to 600,000 guns are stolen each year in the U.S. This is easily enough to resupply the entire criminal population with guns even if they were completely disarmed at the start of each year.

Based on the findings of law enforcement authorities, which we also gathered for our study, the typical trafficking operation handles fewer than a dozen guns each. The ATF uncovers fewer than 15 high-volume operations (involving over 250 guns) in the country each year.

High-volume trafficking, with or without the involvement of corrupt or negligent dealers, probably supplies less than 1% of the guns in criminal hands. Illicit gun sellers are instead more likely to be burglars who sell a few guns (typically fewer than a half dozen a year) along with all the other saleable property that they steal.

The view that extensive, organized trafficking is important in arming American criminals is based on isolated anecdotes about the occasional large-scale trafficking effort uncovered by law enforcement authorities and on interpretations of highly ambiguous ATF gun "trace" data.

When a criminal is arrested and found to be in possession of a firearm, the police may ask the ATF to trace the gun. This means that its past history, as officially recorded on various legal forms, is established, ideally up to the point when it was first sold as a new gun.

The problem with using these data is that only some crime guns are traced, and those that are traced are not representative of the full set of crime guns. Based on such traces, some claim, for example, that most Mexican crime guns originate with U.S. gun dealers.

But it's likely that police in Mexico submit for ATF tracing only those crime guns that they believe originated in the U.S. This would be reasonable, since those are the ones that the ATF is likely to be able to trace, but it is not a sample from which to generalize.

Even if guns of American origin account for only a small share of all Mexican crime guns, they would comprise nearly all of those submitted by the Mexican authorities for tracing by the ATF.

As for the U.S., when deciding which crime guns to trace, police tend to pick the newer ones because successfully tracing them can provide relatively fresh leads concerning who recently purchased the guns and what dealers sold them. Likewise, police who think (correctly or not) that crime guns in their city are coming from out-of-state sources are more likely to ask the ATF to trace the very guns that they believe to meet that description.

Because the "newness" of crime guns and out-of-state origins are regarded as indicators that the guns were trafficked, trace data provide a misleading picture of the sources of guns used in crimes, exaggerating the share that appears to have been trafficked. As Kevin Wang and I concluded, trafficking levels have no measurable effect on the incidence of gun possession by criminals or the rate of violent crime.

It is hard to avoid the conclusion that strategies aimed at reducing gun trafficking are unlikely to have any measurable effect on gun violence in the U.S. or Mexico. Criminals have plenty of other ways to get guns.

—Mr. Kleck is a professor of criminology at Florida State University and the author of "Targeting Guns: Firearms and Their Control."

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# **ATTACHMENT 4**

[REDACTED]

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**From:** Newell, William D.  
**Sent:** Tuesday, October 27, 2009 9:00 AM  
**To:** [REDACTED]  
**Subject:** FW: Southwest Border Strategy Group Meeting  
**Attachments:** cartel strategy2.wpd  
**Importance:** High

Please read and we will discuss. I have a conference call with HQ on this

Bill Newell  
Bureau of ATF  
Special Agent in Charge  
Phoenix Field Division  
Office - (602) [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday, October 27, 2009 8:22 AM  
**To:** [REDACTED]; [REDACTED]; Newell, William D.; [REDACTED]  
**Subject:** FW: Southwest Border Strategy Group Meeting  
**Importance:** High

FYI. Not sure anyone forwarded this document to you. It is the Department's new strategy for combating Mexican drug cartels. A component of the strategy is the reduction of the flow of firearms from the U.S. to Mexico. You may want to take a look prior to our conference call. It is my belief that our enforcement strategies should be aligned with this DOJ strategy.

Thanks,

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, October 26, 2009 1:50 PM  
**To:** Chait, Mark R.; McMahon, William G.; Kurnor, Daniel J.; [REDACTED]; McDermond, James E.; O'Keefe, Kevin C.; [REDACTED]  
**Cc:** [REDACTED]; Hoover, William J.  
**Subject:** FW: Southwest Border Strategy Group Meeting

As discussed at staff. Please find attached the proposed DOJ Cartel Strategy, which will be run by the DAG's Southwest Border Strategy Group. Please let me know if you have any comments or questions.

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**From:** [REDACTED] On Behalf Of Ogden, David W. (ODAG)  
**Sent:** Friday, October 23, 2009 6:03 PM  
**To:** [REDACTED] (ODAG); [REDACTED] (ODAG); [REDACTED] (ODAG); [REDACTED] (CIV); [REDACTED] Breuer, Lanny A. (CRM); [REDACTED] (CRM); Melson, Kenneth E.; [REDACTED] Hoover, William J.; Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (USMS) DIR; [REDACTED] (USMS); [REDACTED] (BOP); [REDACTED] (BOP); [REDACTED] (BOP); [REDACTED] (USAE0); [REDACTED] (USAE0); [REDACTED] (ODAG); Burke, Dennis (USAAZ); [REDACTED] (USACAS); [REDACTED] (USANM); [REDACTED] (USATXS) 7; [REDACTED] (USATXW); [REDACTED] (USMS)

Cc: [REDACTED] (CRM); [REDACTED] (CRM); [REDACTED] (CRM)  
Subject: RE: Southwest Border Strategy Group Meeting

On behalf of DAG Ogden

Earlier today you received notice from [REDACTED] of the inaugural meeting of the Southwest Border Strategy Group next Monday. One of the items that will be on the agenda for that meeting is discussion, and, if possible, adoption, of the Department's Strategy for Combating the Mexican Cartels. I am attaching hereto a draft copy of the strategy. It reflects a great deal of discussion with, and contributions from, many of your components over the past several months. The DAG asks that you come prepared with any specific suggestions or recommendations you may have related to this document.

And here is the document to attach:  
<<cartel.strategy2.wpd>>

[REDACTED]

From: [REDACTED] On Behalf Of Ogden, David W. (ODAG)  
Sent: Thursday, October 22, 2009 6:32 PM  
To: [REDACTED] (ODAG); [REDACTED] (ODAG); [REDACTED] (CIV); [REDACTED] Brewer, Lanny A. (CRM); [REDACTED] (CRM); Melson, Kenneth E. (ATF); [REDACTED] (ATF); Hoover, William J. (ATF); Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (USMS) DIR; [REDACTED] (USMS); [REDACTED] (BOP); [REDACTED] (BOP); [REDACTED] (BOP); [REDACTED] (USAO); [REDACTED] (USAO); [REDACTED] (ODAG); Burke, Dennis (USAAZ); [REDACTED] (USACAS); [REDACTED] (USAM); [REDACTED] (USADCS) ?; [REDACTED] (USATXW); [REDACTED] (USMS)

Cc: [REDACTED] (CRM); [REDACTED] (CRM); [REDACTED] (CRM)  
Subject: Southwest Border Strategy Group Meeting  
When: Monday, October 26, 2009 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada)  
Where: Main R/F Bldg., Room [REDACTED]

Call in telephone #: (202) 353-[REDACTED] and Pass Code #: [REDACTED]

Briefing materials in binder -- Tab #3.

Attendees: [REDACTED] AAG Lanny Brewer/CRM [REDACTED]  
[REDACTED]

- Ken Melson, Director, ATF, [REDACTED] William Hoover
- Michelle Leonhart, Administrator, DEA
- Robert Mueller, Director, FBI, [REDACTED]
- [REDACTED] Director, USMS, [REDACTED]
- [REDACTED] Director, BOP, [REDACTED] attending on behalf of [REDACTED]
- [REDACTED] Director, EOUSA, [REDACTED]
- [REDACTED] Director, OCDETF
- Dennis Burke, U.S. Attorney, District of Arizona by telephone
- Karen Hewitt, U.S. Attorney, Southern District of California
- Greg Fouratt, U.S. Attorney, District of New Mexico
- Tim Johnson, U.S. Attorney, Southern District of Texas by telephone
- John Murphy, U.S. Attorney, Western District of Texas
- [REDACTED] Chair, Attorney General's Advisory Committee ("AGAC")

## DEPARTMENT OF JUSTICE STRATEGY FOR COMBATING THE MEXICAN CARTELS

It is a priority of the Department of Justice to stem the growing violence and associated criminal activity perpetrated by the Mexican drug cartels, along the Southwest Border and throughout the nation. In order to maximize the efficacy of its limited resources, which are spread through numerous components of the Department, it is necessary that the Department deploy those resources pursuant to a single, coherent strategic plan.

An essential aspect of the DOJ plan must be ensuring a productive partnership with the government of Mexico, as well as with our state and local law enforcement counterparts. Equally important, we must avoid wasteful overlap and duplication with the activities of our other federal partners, particularly the law enforcement agencies at the Department of Homeland Security.

The following document sets forth the policy considerations that will guide the Department in this process.

### The Strategy

The Department will implement its Strategy for Combating the Mexican Cartels under the supervision of the newly-created Southwest Border Strategy Group.

Operationally, the strategy will be executed through the proven mechanism of prosecutor-led, multi-agency task forces, using the Organized Crime Drug Enforcement Task Forces (OCDETF) Program as the primary coordinating platform. The Strategy's key objectives are to:

- Increase the safety and security of U.S. citizens throughout the United States by enforcing violations of federal law along the Southwest Border.

- Reduce the flow of narcotics and other contraband entering the United States

- Reduce the flow of illegal weapons, ammunition, explosives, and currency exiting the United States and entering Mexico.

- Strengthen Mexico's operational capacities and enhance its law enforcement institutions.

- Increase bilateral cooperation between Mexico and the United States on fugitive capture and extradition activities.

Increase intelligence and information sharing to achieve focused targeting of the most significant criminal organizations.

Improve case building through interagency coordination, leveraging the expertise and authority of each investigative and prosecutorial agency.

Maximize the effectiveness of prosecution by locating, arresting, extraditing, and trying all levels, including most importantly the leadership, of these criminal organizations, and disrupting and dismantling the organizations' domestic transportation and distribution cells.

### *Division of Responsibilities with DHS*

Addressing the Southwest Border threat has two basic elements: policing the actual border to interdict and deter the illegal crossing of undocumented persons or contraband goods, and confronting the large criminal organizations operating simultaneously on both sides of the border.

Given its statutory mission and the resources it can bring to bear at the border, DHS clearly bears primary responsibility for the policing function. DOJ fully supports DHS in that endeavor by sharing relevant intelligence and by prosecuting the most egregious offenders DHS arrests in the course of its policing function. The Department of Justice prosecutes tens of thousands of these reactive law enforcement cases in federal court every year.

However, the root cause of the explosion of violence along the Southwest Border is the conflicts within and among a limited number of sophisticated, transnational criminal organizations. These hierarchical, Mexico-based cartels are responsible for smuggling into the United States most of our nation's illegal drug supply. While the cartels' primary business is drug trafficking, they also sponsor a panoply of other crimes that support their illegal operations. These other crimes include extortion, torture, murder, corruption of public officials, sheltering of wanted fugitives, kidnapping and human smuggling, laundering of illicit criminal proceeds through the existing financial system and through bulk cash smuggling, and the illegal acquisition, trafficking, and use of firearms and explosives.

It is in taking down these organized, multi-faceted criminal enterprises that DOJ plays the primary role and brings to bear its special expertise. DOJ's success in this endeavor assists, in turn, DHS in the performance of its policing and enforcement function, by disrupting the operations of the cartels, thereby decreasing the pressure on the border. For its part, DHS, and in particular ICE, provides invaluable assistance to the attack on these criminal organizations, by bringing to bear its unique expertise on cross-border transit of contraband.



Border policing and interdiction, and the resulting prosecutions, are key elements of the U.S. government's overall border security strategy. However, the investigation, apprehension, extradition, and prosecution of key cartel leaders and their associates, and the deprivation through forfeiture of their ill-gotten gains, is the most effective means by which we can move past merely addressing the symptoms of our problems along the Southwest Border and attack, instead, the underlying causes.

### *Deployment of Resources*

The Department's view – based on its decades of experience in investigating, prosecuting, and dismantling organized criminal groups, such as the Mafia, international terrorist groups, and domestic and transnational gangs – is that the best way to fight large scale criminal organizations is through intelligence-based, prosecutor-led, multi-agency task forces that blend the strengths, resources, and expertise of the complete spectrum of federal, state, local, and international investigative and prosecutorial agencies. Through their participation in such task forces, the Department's prosecutors, together with its component law enforcement agencies – DEA, ATF, FBI, and USMS – give the Department the capacity to carry out the full range of activities necessary to succeed against these organizations.

The Department has embraced a model to achieve these comprehensive goals that is proactive, in which we develop priority targets through the extensive use of intelligence. This intelligence is obtained from law enforcement sources, as well as through the careful and disciplined use of classified information from intelligence community agencies to provide unclassified leads. Sharing information, we build cases, coordinating long-term, extensive investigations to identify all the tentacles of a particular organization. Through sustained coordination of these operations, we are able to execute a coordinated enforcement action, arresting as many high-level members of the organization as possible, disrupting and dismantling the domestic transportation and distribution cells of the organization, and seizing as many of the organization's assets as possible, whether those assets be in the form of bank accounts, real property, cash, drugs, or weapons. Finally, we prosecute the leaders of the cartels and their principal facilitators, locating, arresting, and extraditing them from abroad as necessary. In this effort, we coordinate closely with our Mexican counterparts to achieve the goal: destruction or weakening of the drug cartels to the point that they no longer pose a viable threat to U.S. interests and can be dealt with by Mexican law enforcement in conjunction with a strengthened judicial system and an improved legal framework for fighting organized crime.

The principal platform for the support and oversight of these prosecutor-led, multi-agency task forces is the OCDETF Program. In most places, along the border and throughout the country, OCDETF provides an effective mechanism for law



enforcement agencies from within DOJ, from elsewhere in the federal government (including DHS and Treasury), and state and local law enforcement, to combine with federal prosecutors to form a "virtual task force" for the purpose of investigating and prosecuting a particular high-value drug trafficking organization. In certain key locales, OCDETF has established actual, brick-and-mortar Co-Located Strike Forces, for the pursuit of the highest level traffickers of drugs, guns, and money. For instance, the San Diego Major Mexican Traffickers Task Force has been responsible for coordinating the U.S. government's successful efforts against the Arellano-Felix Organization. The Houston OCDETF Strike Force has directed our most damaging blows against the Gulf Cartel. And in the first several months of its existence, the Arizona OCDETF Strike Force has been responsible for the indictment of a leader and other members of a major Mexican cartel and the seizure of over \$43 million in cartel assets.

The Department will use the OCDETF Strike Force concept to target all the organized crime activities of the drug cartels – not just those crimes directly related to the drug trade. By further leveraging and coordinating the investigative expertise and jurisdiction of law enforcement agencies outside the drug enforcement area, the Department will task the Strike Forces to disrupt and dismantle every area of the cartels' infrastructure and undermine their ability to operate successfully in any illegal activity.

On a local level, each Strike Force co-locates law enforcement resources that are supplemented by one or more on-site Assistant United States Attorneys. Retaining the current Strike Force structure, specifically the co-location and intensive and early prosecutorial involvement, ensures that the Department capitalizes upon the proven synergy of these Strike Forces to maximize the effectiveness of long-term investigations of these organizations.

In those locations where they currently exist, DOJ will make the OCDETF Co-Located Strike Forces the focal point for interagency efforts against the Mexican criminal organizations.<sup>1</sup> Elsewhere along the border, and throughout the nation, DOJ will seek to replicate, to the extent possible, the OCDETF Strike Force model, in particular the characteristics of interagency cooperation, information sharing, and strategic, intelligence-based targeting that have been embodied in these Strike Forces. Depending on local conditions, existing institutions, such as HIDTA task forces, Southwest Border Initiative Groups, VICIT teams, or Safe Streets Task forces may serve as the appropriate focal point for this interagency cooperation in locations that do not have OCDETF Strike Forces.

The OCDETF Strike Force is a proven law enforcement strategy with a proven history of success in combating the major drug trafficking organizations. The synergy

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<sup>1</sup> OCDETF Co-Located Strike Forces are currently located in [REDACTED]

created by co-locating the diverse expertise of federal, state, and local law enforcement agencies with prosecutors from the U.S. Attorney's Office, has had demonstrable success against major criminal organizations operating throughout the country.

Supplementing the regional operations of the Strike Forces with a comprehensive national policy and coordination body run out of the Office of the Deputy Attorney General, will give the Department a unified and comprehensive vehicle through which the United States government can disrupt the influence of the cartels. This unified and coordinated approach to law enforcement is not only the best way to use the formidable resources of the United States government, but also the most effective way to decrease the influence of these violent criminal enterprises while enhancing the public safety.

While the prosecutor-led, intelligence-driven, multi-agency task force model is a key component of the Department's Southwest Border Strategy, it will not be the only component. We must also recognize and support the important daily work performed by our investigators and prosecutors in stopping and seizing the flow of massive amounts of narcotics, firearms, and bulk cash from flowing across the border in both directions. These more reactive narcotics cases are important to the overall cartel strategy, because in the process we are seizing millions of pounds of drugs, thousands of firearms, and millions of dollars in bulk cash as they enter and exit the country. In addition, these commodity-focused cases yield significant intelligence that is then fed into the Special Operations Division (SOD), the OCDETF Fusion Center (OFC), and the El Paso Intelligence Center (EPIC) for use in supporting more proactive, intelligence-driven investigations that are designed to attack all of the cartels' diverse lines of illegal business. Therefore, the Department's Strategy for Combating the Mexican Cartels must include an assessment of the resource needs of all our components, and a plan for how they intend to achieve the stated goals of the Strategy in light of the specific cartel activity impacting their jurisdictions.

### Intelligence

Law enforcement agencies must have the ability to access, link, and interpret voluminous intelligence information from as wide a community as possible. We use this shared information to identify and target the most significant organizations, so that we can achieve the greatest impact with our finite resources. We also use shared information to develop coordinated, multi-jurisdictional investigations of those high-impact targets, making sure that investigations are mutually reinforcing, without duplicating or jeopardizing other investigations targeting overlapping organizations.


Several multi-agency endeavors are particularly important to the provision of tactical intelligence and operational support in targeting the largest and most dangerous Mexican cartels.

#### The Attorney General's Consolidated Priority Organization Target (CPOT) List

The CPOT list of international "Most Wanted" drug kingpins will be used to help focus our critical resources on the greatest threats from the Mexican cartels. Of the 59 worldwide cartels currently on the list, 25 of them are Mexico-based.

#### The El Paso Intelligence Center (EPIC)

EPIC is a DEA-led multi-agency organization that provides case-specific tactical intelligence, focusing specifically on the Southwest Border.



#### The Special Operations Division (SOD)



#### The OCDETF Fusion Center (OFC)



#### Current Areas of Focus

Pursuant to the principles articulated above, DOJ is pursuing initiatives in the following areas:

1. Ramping up Establishment and Use of Vetted Units in Mexico

An important aspect of case building in Mexico involves U.S. cooperation with specially vetted Mexican law enforcement units. DOJ law enforcement agents work in an advisory capacity to develop elite vetted units of Mexican federal police officers, training them to conduct law enforcement operations that lead to the discovery and seizure of drugs, guns, explosives, money, and documentary evidence to support bilateral investigations and prosecutions. The Mexican units also arrest active members of the cartels, who may eventually become either cooperating witnesses, defendants, or both. These units are essential to our operations. In order to properly leverage and support these crucial operations, the Department must expand their number, to include more drug trafficking units, a firearms trafficking unit, a money-laundering/financial unit, and a fugitive apprehension unit.

## 2. Continued Focus on Attacking Cartel Finances

A particular point of emphasis in recent years has been the dismantlement of the financial infrastructure of the drug trafficking organizations. These efforts have been hampered by the fact that financial cases are complex and time-consuming, and the pool of experienced financial investigators is finite. Since the curtailment of IRS involvement in drug investigations in 2005, ATF, DEA, FBI, and USMS have hired additional financial investigators and forfeiture specialists. OCDETF has established the Financial Investigative Contractor (FIC) Program to bring additional experienced financial investigators to bear on the largest cartels, and has buttressed the analytical and document exploitation capabilities of its Co-Located Strike Forces in [REDACTED]

[REDACTED] DEA has implemented Financial Investigation Teams (FITs) in its field divisions to target the financial assets of drug traffickers. Analysts and attorneys in the U.S. Attorney's Offices and in the Department's Asset Forfeiture and Money Laundering Section have also stepped up their efforts to assist. In addition, Southwest Region federal agencies are working with state and local law enforcement agencies on an OCDETF bulk currency initiative that targets the highest level drug cartels and their transportation routes in the Southwest. These efforts must be supported and expanded.

## 3. Attacking the Southbound Flow of Firearms

Addressing the flow of weapons into Mexico from the United States is also a primary focus of our efforts. ATF's intelligence has shown that the prevalence of firearms and explosives trafficking into Mexico has a direct nexus to the cartels' national domestic drug distribution network. Thus, given the national scope of this issue, merely seizing firearms through interdiction will not stop firearms trafficking to Mexico. We must identify, investigate, and eliminate the sources of illegally trafficked firearms and the networks that transport them. Since 2006, Project Gunrunner has been ATF's comprehensive strategy to combat firearms-related violence perpetrated by the drug cartels along the Southwest Border. Increasingly close collaboration between ATF and the efforts of the multi-agency drug task forces along the border, including, most particularly,

the OCDETF co-located Strike Forces, ensures that scarce ATF resources are directed at the most important targets.

4. Increased Focus on Locating and Apprehending Fugitives

[REDACTED]

5. Expanded Use of the Extradition Process

[REDACTED]

6. Continued Pursuit of Corrupt Public Officials Who Facilitate the Drug Trade

[REDACTED]

7. Merida

[REDACTED]

[REDACTED]

# **ATTACHMENT 5**

DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES  
NATIONAL TRACING CENTER

Phone:(800) [REDACTED] Fax:(800) [REDACTED]

Print Date: [REDACTED]



**FIREARMS TRACE SUMMARY**

Trace Number: T20090344359 Request Date: November 24, 2009 Completion Date: November 30, 2009

[REDACTED]  
OFFICE OF STRATEGIC INTEL.

WASHINGTON, DC 20226

PHONE: (202) [REDACTED] Ext:

FAX (202) [REDACTED]

Badge No:

Investigation No: 164020-10- [REDACTED]

[REDACTED]  
INFORMATION CENTER COMBATting

MEXICO CITY, DF 04640

MEXICO

Badge No:

Investigation No:

**FIREARM INFORMATION**

Manufacturer: ROMARM/CUGIR

Model: DRACO

Caliber: 762

Serial Number: DR-3389-09

Type: PISTOL

Country: ROMANIA

Importer: CENTURY ARMS INC (CAI),

Obliterated:

Identifying Marks:

ATF:

Hand Name:

**RECOVERY INFORMATION**

Recovery Date: 11/20/2009

Time to Crime: 14 days

ADRIANA DE NACO, SO

MEXICO

Possessor: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

UNITED STATES

**PURCHASER INFORMATION**

Purchase Date: 11/08/2009

URJEL NMN PATINO

PHOENIX, AZ 85037

DOB: [REDACTED]

POB: PHOENIX, AZ UNITED STATES

Race: HISPANIC

Sex: Male

ID 1: AZ DRIVER'S LICENSE: [REDACTED]

ID 2: : REMOVED

Contact the local ATF office for additional information.

**ADMINISTRATIVE INFORMATION**

PREVIA: AP/PGR/SON/AGP-1/492/2009

**SUMMARY OF RESULTS**

THE DESCRIBED FIREARM WAS DETERMINED TO HAVE BEEN SOLD AS PART OF A MULTIPLE HANDGUN SALE AND REPORTED TO ATF BY A FEDERAL FIREARMS LICENSEE (FFL). THE TRANSACTION DATE NOTED IN THIS TRACE SUMMARY IS THE DATE THE MULTIPLE SALE WAS GENERATED BY THE FFL AND MAY NOT REPRESENT THE ACTUAL TRANSACTION DATE OF THE TRACED FIREARM. TO VERIFY THE ACTUAL TRANSACTION DATE OF THE TRACED FIREARM, PLEASE CONTACT THE FFL.

The information in this report must be validated prior to use in any criminal proceedings.

Trace: T20090344359  
FOR OFFICIAL USE ONLY



# **ATTACHMENT 6**

DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES  
NATIONAL TRACING CENTER

Phone: (800) [REDACTED] Fax: (800) [REDACTED]

Print Date: [REDACTED]



**MULTIPLE SALE SUMMARY**

Multiple Sale Number: M20090200525

Entered Date: November 25, 2009

Field Division: PHOENIX

**DEALER INFORMATION**

Business Name: [REDACTED]

Licensee Name: [REDACTED]

Address: [REDACTED]

GLENDAL, AZ 85302

Phone: (623) [REDACTED] Ext: [REDACTED]

FFL Number: [REDACTED]

**PURCHASER INFORMATION**

Purchase Date: 11/24/2009

Name: JAIME NMN AVILA JR

Address: [REDACTED]

PHOENIX, AZ 85035

DOB: [REDACTED]

Race: HISPANI Sex: Male

C

POB: [REDACTED] UNITED STATES

ID 1: AR DRIVER'S LICENSE #: [REDACTED]

ID 2: #: [REDACTED]

Purchaser may be associated with 9 other trace(s)/multiple sale(s).

**Weapon Summary**

Weapon Count: 5

Manufacturer	Model	Caliber	Serial Number	Type	Importer	Origin
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195549	PISTOL		BC
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195544	PISTOL		BC
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386194225	PISTOL		BC
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195542	PISTOL		BC
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386193543	PISTOL		BC

DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES  
NATIONAL TRACING CENTER

Phone: (800) [REDACTED] Fax: (800) [REDACTED]

Print Date: [REDACTED]



**SUSPECT GUN SUMMARY**

Suspect Gun Number: S20090001704

Entered Date: November 25, 2009

[REDACTED]  
PHOENIX FD GROUP VII

[REDACTED]  
PHOENIX, AZ 85004

Badge No:

Investigation No: 785115-10 [REDACTED]

**DEALER INFORMATION**

Business Name:

Licensee Name: [REDACTED]

Address: [REDACTED]

GLENDAL, AZ 85302

Phone: (623) [REDACTED] Ext:

FFL Number: [REDACTED]

Invoice #:

**INDIVIDUAL INFORMATION**

Name: JAIME AVILA JR

Address: [REDACTED]

PHOENIX, AZ 85035

DOB: [REDACTED]

Race: HISPANIC

Sex: Male

Height: [REDACTED]

Weight: [REDACTED]

Date: 11/24/2009

ID 1: AZ DRIVER'S LICENSE #: [REDACTED]

ID 2: [REDACTED]

**NOTICE**

The firearm(s) listed below was entered into the Firearms Tracing System as a suspect gun. You have requested NTC maintain a lookout for the firearm(s). If any of the suspect guns in this report are traced by another agency and/or individual, your Division's Firearms Trafficking Coordinator (FTC) will be notified in writing by the NTC. The notification will include the identity of the officer and/or agency requesting the trace. It will be incumbent upon the FTC or yourself to contact the firearms trace requestor. The NTC will not release any information concerning your suspect gun(s).

**Weapon Summary**

Weapon Count: 5

Manufacturer	Model	Caliber	Serial Number	Type	Importer
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195549	PISTOL	UNKNOWN IMPORTER
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195544	PISTOL	UNKNOWN IMPORTER
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386194225	PISTOL	UNKNOWN IMPORTER
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195542	PISTOL	UNKNOWN IMPORTER
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386195543	PISTOL	UNKNOWN IMPORTER

Suspect Gun: S20090001704

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Page 1 of 1

# **ATTACHMENT 7**

**DEPARTMENT OF JUSTICE**  
**BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES**  
**NATIONAL TRACING CENTER**

Phone: (800) [REDACTED] Fax: (800) [REDACTED]

Print Date: [REDACTED]



**SUSPECT GUN SUMMARY**

Suspect Gun Number: S20090001790

Entered Date: December 14, 2009

[REDACTED]  
PHOENIX FD GROUP VII

[REDACTED]  
PHOENIX, AZ 85004

Badge No:

Investigation No: 785115-10-[REDACTED]

**DEALER INFORMATION**

Business Name:

Licensee Name: [REDACTED]

Address: [REDACTED]

GLENDAL, AZ 85302

Phone: (623) [REDACTED] Ext:

FFL Number: [REDACTED]

Invoice #:

**INDIVIDUAL INFORMATION**

Name: JAIME AVILA JR

Address: [REDACTED]

PHOENIX, AZ

DOB: [REDACTED]

Race: HISPAN  
IC

Sex: Male

Height:

Weight:

Date: 12/12/2009

ID 1: #:

ID 2: #:

**NOTICE**

The firearm(s) listed below was entered into the Firearms Tracing System as a suspect gun. You have requested NTC maintain a lookout for the firearm(s). If any of the suspect guns in this report are traced by another agency and/or individual, your Division's Firearms Trafficking Coordinator (FTC) will be notified in writing by the NTC. The notification will include the identity of the officer and/or agency requesting the trace. It will be incumbent upon the FTC or yourself to contact the firearms trace requestor. The NTC will not release any information concerning your suspect gun(s).

**Weapon Summary**

Weapon Count: 5

Manufacturer	Model	Caliber	Serial Number	Type	Importer
ROMARM/CUGIR	GP WASR-10	762	SI-3471-1988	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1984PF6264	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1973EI3356	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1979IS3200	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR		762	1970CO1639	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT

# **ATTACHMENT 8**

**DEPARTMENT OF JUSTICE**  
**BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES**  
**NATIONAL TRACING CENTER**

Phone: (800) [REDACTED] Fax: (800) [REDACTED]

Print Date: [REDACTED]



**SUSPECT GUN SUMMARY**

Suspect Gun Number: S20100000059

Entered Date: January 14, 2010

**PHOENIX FD GROUP VII**

**PHOENIX, AZ 85004**

Badge No:

Investigation No: 785115-10-[REDACTED]

**DEALER INFORMATION**

Business Name:

Licensee Name:

Address:

GLENDAL, AZ 85302

Phone: (623) [REDACTED] Ext:

FFL Number:

Invoice #:

**INDIVIDUAL INFORMATION**

Name: JAIME NMN AVILA JR

Address:

PHOENIX, AZ 85035

DOB:

Race: HISPAN  
IC

Sex: Male

Height:

Weight:

Date: 01/09/2010

ID 1: AZ DRIVER'S LICENSE #:

ID 2:

#:

**NOTICE**

The firearm(s) listed below was entered into the Firearms Tracing System as a suspect gun. You have requested NTC maintain a lookout for the firearm(s). If any of the suspect guns in this report are traced by another agency and/or individual, your Division's Firearms Trafficking Coordinator (FTC) will be notified in writing by the NTC. The notification will include the identity of the officer and/or agency requesting the trace. It will be incumbent upon the FTC or yourself to contact the firearms trace requestor. The NTC will not release any information concerning your suspect gun(s).

**Weapon Summary**

Weapon Count: 3

Manufacturer	Model	Caliber	Serial Number	Type	Importer
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386203502	PISTOL	FNH USA LLC, FREDERICKSBURG VA
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386203509	PISTOL	FNH USA LLC, FREDERICKSBURG VA
F.N. (FN HERSTAL)	FIVE-SEVEN	57	386206115	PISTOL	FNH USA LLC, FREDERICKSBURG VA

# **ATTACHMENT 9**



DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES  
NATIONAL TRACING CENTER

Phone:(800) [REDACTED] Fax:(800) [REDACTED]

Print Date: [REDACTED]



**SUSPECT GUN SUMMARY**

Suspect Gun Number: S20100000088

Entered Date: January 19, 2010

[REDACTED]  
PHOENIX FD GROUP VII

[REDACTED]  
PHOENIX, AZ 85004

Badge No:

Investigation No: 785115-10-[REDACTED]

**DEALER INFORMATION**

Business Name:

Licensee Name: [REDACTED]

Address: [REDACTED]

GLENDAL, AZ 85302

Phone: (623) [REDACTED] Ext:

FFL Number: [REDACTED]

Invoice #:

**INDIVIDUAL INFORMATION**

Name: JAIME AVILA JR

Address: [REDACTED]

PHOENIX, AZ 85035

DOB: [REDACTED]

Race: HISPAN  
IC

Sex: Male

Height:

Weight:

Date: 01/16/2010

ID 1:

#:

ID 2:

#:

**NOTICE**

The firearm(s) listed below was entered into the Firearms Tracing System as a suspect gun. You have requested NTC maintain a lookout for the firearm(s). If any of the suspect guns in this report are traced by another agency and/or individual, your Division's Firearms Trafficking Coordinator (FTC) will be notified in writing by the NTC. The notification will include the identity of the officer and/or agency requesting the trace. It will be incumbent upon the FTC or yourself to contact the firearms trace requestor. The NTC will not release any information concerning your suspect gun(s).

**Weapon Summary**

Weapon Count: 3

Manufacturer	Model	Caliber	Serial Number	Type	Importer
ROMARM/CUGIR	WASR-10	762	1983AH3977	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	WASR-10	762	1979IS1530	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	WASR-10	762	1971CZ3775	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT

Suspect Gun: S20100000088

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Page 1 of 1

# **ATTACHMENT 10**

[REDACTED]

---

**From:** Newell, William D.  
**Sent:** Wednesday, December 15, 2010 5:30 PM  
**To:** [REDACTED]  
**Subject:** RE: Nogales Shooting

Call my extensión. Thanks

Bill Newell  
Special Agent in Charge  
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)  
Phoenix Field Division (Arizona and New Mexico)  
Office - (602) [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 15, 2010 5:01 PM  
**To:** [REDACTED]  
**Cc:** Voth, David J.; [REDACTED] Newell, William D.  
**Subject:** Re: Nogales Shooting

10-4. Thanks!

[REDACTED]  
Cell: 602 [REDACTED]

...

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

**From:** [REDACTED]  
**To:** [REDACTED]  
**Sent:** Wed Dec 15 18:46:14 2010  
**Subject:** Re: Nogales Shooting

Boss Thus far these are the only two that have been identified that I know. Very difficult to reach these guys roaming the hills. I will find out. From talking with [REDACTED] sounds like they are out in the middle of nowhere. He had to climb a ridge for air service. Talked to she will call with trace results. From Fast and Furious

...

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

**From:** [REDACTED]  
**To:** [REDACTED]

Cc: Newell, William D.  
Sent: Wed Dec 15 18:31:58 2010  
Subject: Re: Nogales Shooting

Thank you, [REDACTED]. Are these two in addition to the gun already recovered this morning?

[REDACTED]  
Cell: 602 [REDACTED]

\*\*\*  
NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

From: [REDACTED]  
To: [REDACTED]  
Sent: Wed Dec 15 18:26:40 2010  
Subject: Re: Nogales Shooting

[REDACTED] I am still here at the CISEN Intel meeting at TPD. I just talked [REDACTED] out in Nogales in the hills. They have two AKs WASHRs from CAI. I have called [REDACTED] to trace the guns. She has initiated an urgent. I am the poc for the traces

\*\*\*  
NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]; Newell, William D.  
Sent: Wed Dec 15 12:02:14 2010  
Subject: RE: Nogales Shooting  
Thanks [REDACTED] I appreciate the update

From: [REDACTED]  
Sent: Wednesday, December 15, 2010 9:54 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: Nogales Shooting

Just talked to an FBI agent, the BP did recovered an AK47, and they will provide us the info. We will conduct an urgent trace immediately after we get the info- if they haven't already through other channels.

[REDACTED]  
Cell [REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 15, 2010 5:47 PM  
**To:** Newell, William D.  
**Cc:** [REDACTED]  
**Subject:** Fw: U.S. Border Patrol Agent killed in the line of duty - Two firearms recovered by ATF

Bill -

FYI -

[REDACTED]  
Cell: 602 [REDACTED]

\*\*\*

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

**From:** [REDACTED]  
**To:** [REDACTED]; Voth, David J.; [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]  
**Sent:** Wed Dec 15 19:45:03 2010  
**Subject:** U.S. Border Patrol Agent killed in the line of duty - Two firearms recovered by ATF

The two firearms recovered by ATF this afternoon near Rio Rico, Arizona, in conjunction with the shooting death of U.S. Border Patrol agent Terry were identified as 'Suspect Guns' in the Fast and Furious investigation 785115-10-[REDACTED]

The firearms are identified as follows:

Romarm/CUGIR, 762 rifle, Model GP WASR 10/63, serial number 1971CZ3775  
Romarm/CUGIR, 762 rifle, Model GP WASR 10/63, serial number 1983AH3977

[REDACTED] contact me late this afternoon requesting Intel assistance in the tracing of two recovered firearms.

I initiated an urgent firearms trace requests on both of the firearms and then contacted the NTC to ensure the traces were conducted today.

I was advised by the NTC that the firearms were entered into ATF Suspect Gun database by [REDACTED] and associated to the Fast and Furious investigation. The NTC further advised that on 01/16/10 Jaime AVILA purchased three Romarm 7.62 rifles from Lone Wolf Trading Company, two of these firearms are the recovered firearms cited above.

No trace has been submitted on the third firearm purchased by AVILA (serial number 1979IS1530). I am researching the trace status of the firearms recovered earlier today by the FBI.

Should you have any questions or need further assistance, please contact me.

[REDACTED] - Senior IRS  
Acting Intel Group Supervisor  
(602) [REDACTED] - Direct  
(602) [REDACTED] - Mobile  
(602) [REDACTED] - Fax

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 15, 2010 11:24 AM  
**To:** All Phoenix Exchange  
**Subject:** U.S. Border Patrol Agent killed in the line of duty

A U.S. Border Patrol agent, Brian A. Terry, 40, was shot and killed north of the Arizona-Mexico border while trying to catch bandits who target illegal immigrants. Terry, working as part of a BORTAC unit, was waiting with three other agents in a remote area north of Nogales, Ariz., late Tuesday night when a gunfight with the bandits began. No other agents were injured, but one of the suspects was wounded in the shootout. Terry was shot in the back and was pronounced dead at approximately 4:00 AM today.

The FBI is investigating the shooting. Four suspects are in custody and Law Enforcement Personnel are searching for a fifth.

ATF Tucson personnel are assisting with the follow-up investigation and will be assisting with a search of the area. A firearm in the custody of the FBI is currently being traced.

[REDACTED]  
Office: (602) [REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 15, 2010 6:05 PM  
**To:** Newell, William D.  
**Cc:** [REDACTED]  
**Subject:** Fw: FYI...

Bill -

Fyi. Also, the USMS will be contacting GS Voth to assist.

[REDACTED]  
Cell: 602-[REDACTED]

\*\*\*  
NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

**From:** Voth, David J.  
**To:** Newell, William D.; [REDACTED]  
**Cc:** [REDACTED]  
**Sent:** Wed Dec 15 20:00:47 2010  
**Subject:** FYI...

Jamie Avila purchased 52 firearms from November 2009 thru June 2010 for which he paid approximately \$48,000.00 cash. The firearms consisted of FN 5.7 pistols, 1 Barrett 50 BMG rifle, AK-47 variant rifles, Ruger 9mm handguns, Colt 38 supers etc...

David Voth  
Group Supervisor  
Phoenix Group VII  
602-[REDACTED]

[REDACTED]

---

**From:** Newell, William D.  
**Sent:** Wednesday, December 15, 2010 9:43 PM  
**To:** Voth, David J.; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Avila in custody

Great job.

...

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

---

**From:** Voth, David J.  
**To:** Newell, William D.; [REDACTED]  
**Cc:** [REDACTED]  
**Sent:** Wed Dec 15 23:41:30 2010  
**Subject:** Avila in custody

We (ATF) have Jaime Avila in our custody. We are coordinating with the USAO to charge him in the morning via Complaint. We are holding him overnight in custody.

We are charging Avila with a standalone June 2010 firearms purchase where he used a bad (old) address on the 4473. [924(a)(1)(A) - False records required to be kept by dealer.] This way we do not divulge our current case (Fast & Furious) or the Border Patrol shooting case.

Thanks,

David Voth  
Group Supervisor  
Phoenix Group VII  
602- [REDACTED]



[REDACTED]

---

**From:** Voth, David J.  
**Sent:** Wednesday, December 15, 2010 9:42 PM  
**To:** Newell, William D.; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Avila in custody

We (ATF) have Jaime Avila in our custody. We are coordinating with the USAO to charge him in the morning via Complaint. We are holding him overnight in custody.

We are charging Avila with a standalone June 2010 firearms purchase where he used a bad (old) address on the 4473. [924(a)(1)(A) – False records required to be kept by dealer.] This way we do not divulge our current case (Fast & Furious) or the Border Patrol shooting case.

Thanks,

David Voth  
Group Supervisor  
Phoenix Group VII  
602-[REDACTED]

[REDACTED]

---

From: [REDACTED]  
Sent: Thursday, December 16, 2010 9:35 AM  
To: [REDACTED] Newell, William D.  
Subject: SIR

---

DEPARTMENT OF JUSTICE - BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES SIGNIFICANT  
INFORMATION REPORT

---

DATE: December 16, 2010  
FROM: Phoenix Field Division  
FIELD OFFICE: Phoenix VII Field Office

---

CASE INFORMATION

CASE NUMBER: 785115-10-[REDACTED]  
CASE TITLE: [REDACTED]  
SPECIAL AGENT: Voth, David  
TELEPHONE NUMBER: (602) [REDACTED]

---

SYNOPSIS OF INCIDENT/ACTIVITY:

Arrest of Jaime AVILA.

---

NARRATIVE OF INCIDENT/ACTIVITY:

On January 16, 2010, Jaime AVILA purchased three (3) AK-47 variant rifles from a Phoenix area FFL. On December 15, 2010, after the shooting death of a U.S. Border Patrol agent in Southern Arizona law enforcement officers/agents conducted a search of the area. Two (2) of the AK-47 variant rifles purchased by AVILA on 01/16/2010 were recovered in the area during this search.

On December 15, 2010, ATF agents located AVILA and subsequently interviewed and arrested him on charges stemming from this January 16, 2010, firearm purchase. In summary AVILA admitted to ATF agents that he straw purchased these firearms for an unidentified Hispanic male.

AVILA was held overnight and ATF agents have prepared a criminal complaint for Jaime AVILA on firearm charges relating to the straw purchase of these three (3) AK-47 variant rifles on 01/16/2010 and are presenting it to a Federal Magistrate today (12/16/10.)

[REDACTED]

---

From: Voth, David J.  
Sent: Thursday, December 16, 2010 10:11 AM  
To: Newell, William D.; [REDACTED]  
Subject: change in charging

Gentlemen,

After speaking with Emory he saw the wisdom in not charging the AK-47 rifles in question so as to not complicate the FBI's investigation. As such we are back to our original plan to charge the June guns purchased by Jaime AVILA.

David Voth  
Group Supervisor  
Phoenix Group VII  
602-[REDACTED]

[REDACTED]

---

**From:** Voth, David J.  
**Sent:** Thursday, December 16, 2010 11:36 AM  
**To:** Newell, William D.; [REDACTED]  
**Subject:** clarification

Gentlemen,

For the sake of clarity, we alleged 8 firearms from 3 different FFLs in the complaint affidavit stemming from June 12 & June 15, 2010 purchases. However, the actual Criminal Complaint is for one (1) count of lying on the form 4473.

I will send the affidavit and complaint once the USAO has finished making revisions.

Thanks,

David Voth  
Group Supervisor  
Phoenix Group VII  
602-[REDACTED]

[REDACTED]

---

**From:** Newell, William D.  
**Sent:** Thursday, December 16, 2010 1:27 PM  
**To:** [REDACTED]  
**Subject:** December Fast and Furious BP for SAC (2)  
**Attachments:** December Fast and Furious BP for SAC (2).docx

Please review and send back to me with "LE Sensitive – For Official Use Only" watermark in the appropriate places. Thanks

# **ATTACHMENT 11**

DATE: [REDACTED]

FROM: Phoenix Field Division

FIELD OFFICE: Phoenix VII Field Office

CASE INFORMATION

CASE NUMBER: 785115-[REDACTED]

CASE TITLE: [REDACTED], [REDACTED]

SPECIAL AGENT:

Voth, David

TELEPHONE NUMBER:

(602) [REDACTED]

SYNOPSIS OF INCIDENT/ACTIVITY

Arrest of Jaime AVILA.

NARRATIVE OF INCIDENT/ACTIVITY

On January 16, 2010, Jaime AVILA purchased three (3) AK-47 variant rifles from a Phoenix area FFL. On December 15, 2010, after the shooting death of a U.S. Border Patrol agent in Southern Arizona law enforcement officers/agents conducted a search of the area. Two (2) of the AK-47 variant rifles purchased by AVILA on 01/16/2010 were recovered in the area during this search.

On December 15, 2010, ATF agents located AVILA and subsequently interviewed and arrested him on charges stemming from this January 16, 2010, firearm purchase. In summary AVILA admitted to ATF agents that he straw purchased these firearms for an unidentified Hispanic male.

AVILA was held overnight and ATF agents have prepared a criminal complaint for Jaime AVILA on firearm charges relating to the straw purchase of these three (3) AK-47 variant rifles on 01/16/2010 and are presenting it to a Federal Magistrate today (12/16/10.)

# **ATTACHMENT 12**



[REDACTED]

**Uriel Patino**

---

Wed, Aug 25, 2010 at 5:13 PM

To: "Voth, David J." <[REDACTED]>  
Cc: [REDACTED]

Good Afternoon David,

One of our associates received a telephone inquiry from Uriel Patino today. Uriel is one of the individuals your office has interest in, and he looking to purchase 20 FN-FNX 9mm firearms. We currently have 4 of these firearms in stock. If we are to fulfill this order we would need to obtain the additional 16 specifically for this purpose.

I am requesting your guidance as to weather or not we should perform the transaction, as it is outside of the standard way we have been dealing with him.

I look forward to your advisment.

--  
Thank you,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

Uriel Patino

---

Voth, David J. <[REDACTED]>

Wed, Aug 25, 2010 at 6:09 PM

To: [REDACTED]

Cc: [REDACTED]

[REDACTED]

Thank you very much for contacting us regarding Mr. Patino and this order/inquiry. We (ATF) are very much interested in this transaction and would like to coordinate (with your cooperation) the delivery of these firearms to Mr. Patino under our direction; i.e. date, time, etc. Be assured no enforcement action will take place on or near the [REDACTED] property. We have other matters pressing but late next week (Thursday/Friday) would be good timing for us. Another technique to allow for greater control would be if you are willing to request a partial down payment from Mr. Patino for a "special order." This tends to increase the individual's future compliance when they are already financially invested in the situation.

In summary our guidance is that we would like you to go through with Mr. Patino's request and order the additional firearms he is requesting, and if possible obtain a partial down payment. This will require further coordination of exact details but again we (ATF) are very much interested in this transaction and appreciate your [REDACTED] willingness to cooperate and assist us.

Special Agent [REDACTED] (CC'd in this e-mail) is the ATF case agent for this investigation. Please coordinate this delivery of these firearms to Mr. Patino through her (cell phone for SA [REDACTED]) or by contacting me when she is not available.

Thanks again for your cooperation and support of our joint mission

Respectfully,

David Voth

Group Supervisor

Phoenix Group VII

[REDACTED]

Cell - [REDACTED]

[REDACTED]		
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[REDACTED]

---

**Uriel Patino**

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Thu, Aug 26, 2010 at 10:52 AM

To: "Voth, David J." <[REDACTED]>

Cc: [REDACTED]

David,

Thank you for your response. Per your email we will move forward with this transaction in accordance with your direction of having Mr. Patino provide payment prior to the transfer of the firearms.

We will suspend the transaction to meet with your ideal time frame of next week, at which point we will contact Hope when Mr. Patino is on his way to the store, and provide all standard documentation. If you have any other requirements or requests please let me know.

[Quoted text hidden]

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# **ATTACHMENT 13**

# ***The Department of Justice's Operation Fast and Furious***

**Senator Charles E. Grassley, Ranking Member  
United States Senate  
Committee on the Judiciary**

**Before the U.S. House of Representatives  
Committee on Oversight and Government Reform  
June 15, 2011**

# ATF Strategy: Let Guns Go

“...our strategy is to *allow the transfer of firearms* to continue to take place in order to further the investigation and allow for the *identification of additional coconspirators...*”

13. Currently our strategy is to allow the transfer of firearms to continue to take place in order to further the investigation and allow for the identification of additional coconspirators who would continue to operate and illegally traffic firearms to Mexican DTOs which are perpetrating armed violence along the Southwest Border. This all in compliance with ATF 3310.4(b) 148(a)(2).

# DOJ Policy: ID the Networks

“...merely *seizing firearms* through interdiction will not stop firearms trafficking to Mexico. ***We must identify***, investigate, and eliminate the sources of illegally trafficked firearms and ***the networks*** that transport them.”

## 3. Attacking the Southbound Flow of Firearms

Addressing the flow of weapons into Mexico from the United States is also a primary focus of our efforts. ATF's intelligence has shown that the prevalence of firearms and explosives trafficking into Mexico has a direct nexus to the cartels' national domestic drug distribution network. Thus, given the national scope of this issue, merely seizing firearms through interdiction will not stop firearms trafficking to Mexico. We must identify, investigate, and eliminate the sources of illegally trafficked firearms and the networks that transport them. Since 2006, Project Gunrunner has been ATF's comprehensive strategy to combat firearms-related violence perpetrated by the drug cartels along the Southwest Border. Increasingly close collaboration between ATF and the efforts of the multi-agency drug task forces along the border, including, most particularly,



# Documented Gun Purchases (Cumulative)



# Documented Gun Purchases (Cumulative)



## ATF Approved Gun Order

“If we are to fulfill this order we would need to obtain the additional 16 specifically for this purpose.”

Wed, Aug 25, 2010 at 5:13 PM

To: "Voth, David J." <[REDACTED]@usdoj.gov>  
Cc: [REDACTED]

Good Afternoon David,

One of our associates received a telephone inquiry from Uriel Patino today. Uriel is one of the individuals your office has interest in, and he looking to purchase 20 FN-FNX 9mm firearms. We currently have 4 of these firearms in stock. If we are to fulfill this order we would need to obtain the additional 16 specifically for this purpose.

I am requesting your guidance as to weather or not we should perform the transaction, as it is outside of the standard way we have been dealing with him.

I look forward to your advisment.

## ATF Approved Gun Order

“...our guidance is that we would like you to go through with Mr. Patino’s request and order the additional firearms[.]”

In summary our guidance is that we would like you to go through with Mr. Patino's request and order the additional firearms he is requesting, and if possible obtain a partial down payment. This will require further coordination of exact details but again we (ATF) are very much interested in this transaction and appreciate your (SCG) willingness to cooperate and assist us.

# Statistics Summary

- Data is available for 1880 guns purchased
- 84 guns did not have documented sell date





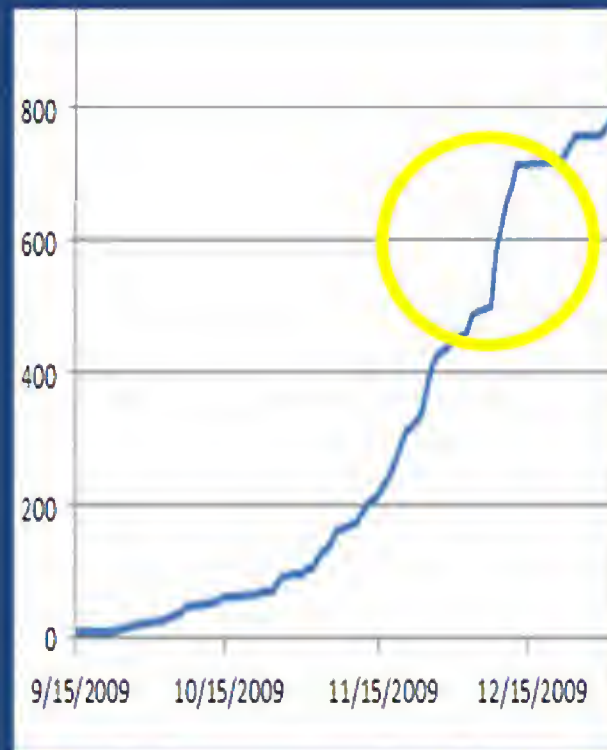
# Statistics Summary

- 30 guns purchased were high-power .50 BMG rifles



# Statistics Summary

- 212 gun purchases in 6 days (12/7/09-12/12/09)
  - 157 of those guns were from 1 buyer



# Statistics Summary

- Top 5 purchasers accounted for 70% of the 1880 guns sold

Percentage of guns bought by top 5 purchasers





# Statistics Summary

- Top 5 identified by ATF between 11/19/09 – 1/28/10
- 203 guns before identified
- **988 more** after identified



# Documented Gun Purchases (Cumulative)

